

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Applicants present for the examiner's consideration new independent claim 12. It is respectfully submitted that independent claim 12 and dependent claims 3-5 which depend therefrom comply with 35 U.S.C. 112, first paragraph. Independent claim 12 now sets forth the mixing of the re-sterilized teeth powder with a material selected from the group consisting of medical gypsum, concentrated platelets, dental porcelain, acrylic resin and mixtures thereof. It is submitted that the newly presented independent claim 12 is now commensurate with the teachings of the specification. Applicants respectfully submit that it is not necessary to include into independent claim 12 the mixing ratios. In this regard it should be noted that the mixing ratios are preferred embodiments in best mode mixing ratios. Clearly other ratios outside of the preferred embodiment may be employed without departing from the spirit of the invention. Accordingly, it is respectfully submitted that claim 12 and dependent claims 3-5 comply with the formal requirements of 35 U.S.C. 112, first paragraph.

The examiner rejected previously submitted claims 1-5 under 35 U.S.C. 112, second paragraph. New independent claim 12 has

been drafted so as to comply with the formal requirements of 35 U.S.C. 112, second paragraph. Claims 1 and 2 have been cancelled. Claim 4 has been amended so as to comply with 35 U.S.C. 112, second paragraph. In light of the foregoing, it is submitted that all of the claims as pending comply with the formal requirements of 35 U.S.C. 112, second paragraph.

Finally, previously submitted claims 1-5 were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent 2,508,816 in view of U.S. Patent 5,733,545 and U.S. Patent 5,217,375. As to how this rejection applies to the claims as amended herein, it is respectfully traversed.

With reference to newly presented independent claim 12, claim 12 includes the step of "incinerating the sterilized animal teeth at high temperature". This step, which is critical in the present invention, avoids immunological rejection which may occur after transplanting the prepared animal teeth into a human. In this regard the examiner's attention is drawn to paragraph [0025]. Independent claim 12 further sets forth the step of "removing impurities and bleaching the teeth powder by treating the teeth powder at high temperature". This step effectively decolorizes the prepared animal teeth and results in better aesthetic qualities while at the same time removing any impurities which may cause inflammation after transplanting. Neither of the steps discussed above are taught, described or

suggested by any of the three prior art patents cited by the examiner. While the '816 patent discloses in column 2 lines 51 and 52 removal of water, there is no teaching or suggestion of an incineration step as claimed in independent claim 12. In addition, while the '816 patent does teach a discoloration step, the step is carried out before pulverization and, furthermore, does not constitute a high temperature treatment as claimed in independent claim 12. In light of the foregoing, it is respectfully submitted that newly presented independent claim 12 and the claims which depend therefrom patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it
is respectfully requested that they be charged to Deposit
Account No. 02-0184.

Respectfully submitted,

Su-Gwan Kim et al.

By 

Gregory P. LaPointe
Attorney for Applicants
Reg. No. 28,395
Tel: (203) 777-6628
Fax: (203) 865-0297

Date: July 27, 2005

I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United
States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on July 27, 2005.

